



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ralf M. Luche and Bo Wei  
Application No. : 09/527,376  
Filed : March 16, 2000  
For : DSP-2 DUAL-SPECIFICITY PHOSPHATASE

Docket No. : 200125.407

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints RICHARD W. SEED, Reg. No. 16,557; ROBERT J. BAYNHAM, Reg. No. 22,846; GEORGE C. RONDEAU, JR., Reg. No. 28,893; DAVID H. DEITS, Reg. No. 28,066; WILLIAM O. FERRON, JR., Reg. No. 30,633; DAVID J. MAKI, Reg. No. 31,392; RICHARD G. SHARKEY, Reg. No. 32,629; DAVID V. CARLSON, Reg. No. 31,153; KARL R. HERMANNS, Reg. No. 33,507; DAVID D. MCMASTERS, Reg. No. 33,963; MICHAEL J. DONOHUE, Reg. No. 35,859; JANE E. R. POTTER, Reg. No. 33,332; ROBERT IANNUCCI, Reg. No. 33,514; LORRAINE LINFORD, Reg. No. 35,939; DAVID W. PARKER, Reg. No. 37,414; ELLEN M. BIERMAN, Reg. No. 38,079; BRIAN G. BODINE, Reg. No. 40,520; ANN T. KADLECEK, Reg. No. 39,244; E. RUSSELL TARLETON, Reg. No. 31,800; KEVIN S. COSTANZA, Reg. No. 37,801; THOMAS E. LOOP, Reg. No. 42,810; STEPHEN J. ROSENMAN, Reg. No. 43,058; BRIAN L. JOHNSON, Reg. No. 40,033; SUSAN D. BETCHER, Reg. No. 43,498; WILLIAM T. CHRISTIANSEN, Reg. No. 44,614; GARY M. MYLES, Reg. No. 46,209; and ERIC J. GASH, Reg. No. 46,274; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all

business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Stephen J. Rosenman at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

Stephen J. Rosenman, Esq.  
Seed Intellectual Property Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to CEPTYR, Inc. filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

CEPTYR, Inc.  
ASSIGNEE

DATE

*July 11, 2000*

*Deborah E. Cool*  
Deborah E. Cool, Ph.D.  
Vice President of Research

Enclosure:

Copy of Assignment

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## ASSIGNMENT

WHEREAS, we, Ralf M. Luche and Bo Wei (hereinafter referred to as ASSIGNORS), having post office addresses of 4028 Northeast 196<sup>th</sup> Court, Seattle, Washington 98155, and 10565 NE 137<sup>th</sup> Place, Kirkland, Washington 98034, respectively, are the listed inventors/applicants of the patent application entitled "DSP-2 DUAL-SPECIFICITY PHOSPHATASE," as filed with the U.S. Patent and Trademark Office on March 16, 2000 and assigned Application No. 09/527,376; and that this application claims the benefit of U.S. Provisional Patent Application No. 60/125,957 filed March 24, 1999.

WHEREAS, CEPTYR, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware having a place of business at 22215 – 26<sup>th</sup> Avenue Southeast, Bothell, Washington 98021, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNEE hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNEE had this assignment, transfer and sale not been made. ASSIGNEE hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNEE agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Date

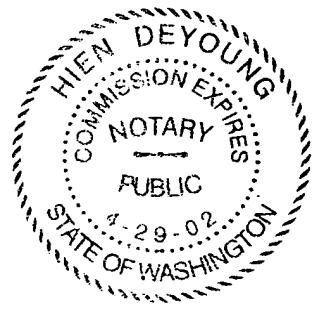
7-10-00

Ralf M. Luche

State of Washington)  
County of Snohomish)

ss.

I certify that I know or have satisfactory evidence that Ralf M. Luche is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 7/10/00  
Signature of Notary Public Hien DeYoung  
Printed Name Hien DeYoung  
My appointment expires 4/29/02

Date

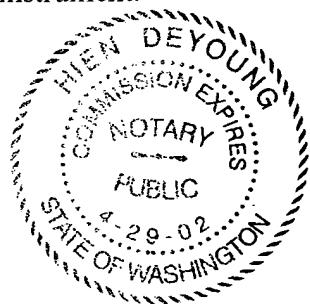
7-10-00

Bo Wei

State of Washington)  
County of Snohomish)

ss.

I certify that I know or have satisfactory evidence that Bo Wei is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 7/10/00  
Signature of Notary Public Hien DeYoung  
Printed Name Hien DeYoung  
My appointment expires 4/29/02